



Moritt Hock Hamroff & Horowitz LLP

ATTORNEYS AT LAW

400 Garden City Plaza Garden City, New York 11530

(516) 873-2000 Fax (516) 873-2010

www.morittthock.com

June 26, 2007

Hon. Richard M. Berman
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Foundling Hospital v. Riverbay Corporation
07 CV 2846 (Berman, J.) (Katz, M.J.)

Dear Judge Berman:

As you know, we represent the plaintiff in this action. This letter is written with the consent and approval of counsel for the defendant.

Both parties and their counsel met yesterday with Magistrate Judge Katz in an attempt to resolve this action. With the assistance of Magistrate Judge Katz, both parties were able to identify a framework that could result in the resolution of this action. Counsel for both Riverbay and the New York State Office of Mental Retardation and Developmental Disabilities have to go back to their respective parties to seek approval of this framework. We understand that those counsel will meet with their clients and obtain an answer by no later than the end of the second week of July. Another conference with Magistrate Judge Katz will take place on either July 19th or July 20th.

Consequently, both parties respectfully request an adjournment of the scheduled July 2nd conference until after the next conference with Magistrate Judge Katz. At that time, we will have a better idea as to whether this case can be settled and the time frames for completing such settlement.

Therefore, we respectfully request that the court appearance now scheduled for July 2nd be adjourned until after our next conference with Magistrate Judge Katz.

Sincerely,



Robert L. Schonfeld

cc: Hon. Theodore H. Katz
Gerald Kahn, Esq.
Robert Mascali, Esq.
Ronna Blau, Esq.